

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

OCT 31 2016

Clerk, U.S. District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH CURTIS MORRISON, JR.,

Defendant.

CR 16-06-BLG-SPW

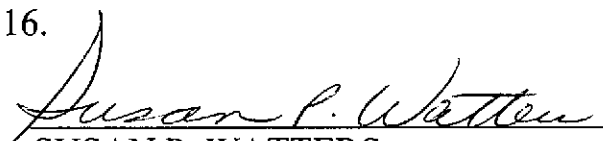
OPINION AND ORDER

Before this Court is Defendant Joseph Morrison's Motion to Withdraw Guilty Plea (Doc. 39) and Motion to Move Arresting Judgment (Doc. 40). Since his arraignment in February 2016, Morrison has elected to proceed with counsel. Despite having counsel, however, Morrison filed the current motions pro se. Through his pro se filings, Morrison engages in hybrid representation without first seeking this Court's permission. *See United States v. Klee*, 494 F.2d 394, 396-97 (9th Cir. 1974) (a criminal defendant does not have an absolute right to both self-representation and the assistance of counsel); *see also United States v. Daniels*, 572 F.2d 535, 540 (5th Cir. 1978) (whether to allow hybrid representation remains within the sound discretion of the trial judge). Under such circumstances, "[a] district court has no obligation to entertain pro se motions filed by a represented party." *Abdullah v. United States*, 240 F.3d 683, 686 (8th Cir. 2001).

This Court will not consider motions filed by Morrison personally and declines to consider Morrison's current motions.

Accordingly, IT IS HEREBY ORDERED that Morrison's Motion to Withdraw Guilty Plea (Doc. 39) and Motion to Move Arresting Judgment (Doc. 40) are DENIED in their entirety.

DATED this 3rd day of October, 2016.


SUSAN P. WATTERS
United States District Judge